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T. Gregory Peterson, Ph.D., J.D.

July 24, 2006

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Via Express Mail No. EV445074185US

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**Re: NATIONAL PHASE APPLICATION OF PCT/US2004/22460 UNDER
35 USC 371 TITLED IDENTIFICATION OF REAGENTS FOR THE
DIAGNOSIS AND STUDY OF FRANCISELLA**

Applicants:	ENGLER, Jeffrey ESCUYER, Vincent
U.S. Application No.:	10/564,950
Att. Docket No.:	P69085US01GP

Dear Sir:

Enclosed herewith are the following:

- (1) a signed combination declaration and power of attorney regarding the above referenced patent application;
- (2) a copy of the Notification of Missing Requirements Under 35 U.S.C. 371;
- (3) Fee transmittal form;
- (4) Transmittal form;
- (5) Check; and
- (6) Return postcard.

07/31/2006 HKAYPAGH 00000071 10564950

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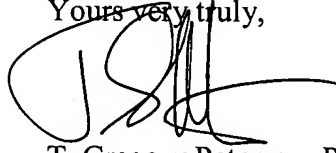
65.00 OP

July 24, 2006

Page 2

Thank you for your cooperation and assistance in this matter. Please do not hesitate to call if you have any questions.

Yours very truly,

A handwritten signature in black ink, appearing to be 'TGP', with a long horizontal flourish extending to the right.

T. Gregory Peterson, Ph.D.
Registration No. 45,587

TGP/cbp
Enclosures

cc: William White (with enclosures)
Jeffrey Engler, Ph.D. (with enclosures)



7-25-06

cc: W White
Page 1 of 2(sent POA ldec by e-mail
6-14-06)

PCT\$

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/564,950	Jeffrey Engler	P69085US01GP

INTERNATIONAL APPLICATION NO.

PCT/US04/22460

I.A. FILING DATE	PRIORITY DATE
07/14/2004	07/14/2003

Bradley Arant Rose & White LLP
1819 Fifth Avenue North
Birmingham, AL 35203-2104

CONFIRMATION NO. 2110

371 FORMALITIES LETTER



OC000000019135941

Date Mailed: 06/07/2006

8-7-2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/17/2006
- Preliminary Amendments filed on 01/17/2006
- Information Disclosure Statements filed on 01/17/2006
- Biochemical Sequence Diskette filed on 01/17/2006
- Biochemical Sequence Listing filed on 01/17/2006
- Small Entity Statement filed on 01/17/2006
- U.S. Basic National Fees filed on 01/17/2006
- Priority Documents filed on 01/17/2006
- Specification filed on 01/17/2006
- Claims filed on 01/17/2006
- Abstracts filed on 01/17/2006
- Drawings filed on 01/17/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/564,950	PCT/US04/22460	P69085US01GP

FORM PCT/DO/EO/905 (371 Formalities Notice)



IAP6 Rec'd PCT/PTO 24 JUL 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

9

Application Number

10/564,950

Filing Date

1/17/2006

First Named Inventor

Engler, Jeffrey

Art Unit

Not Yet Assigned

Examiner Name

Not Yet Assigned

Attorney Docket Number

P69085US01GP

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional ApplicationPower of Attorney, Revocation
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

☐ Landscape Table on CD

Remarks



After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):Declaration
Return Postcard
Cover Letter**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Bradley Arant Rose & White, LLC

Signature

Printed name

T. Gregory Peterson, Ph.D., J.D.

Date

July 24, 2006

Reg. No.

45, 587

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

T. Gregory Peterson, Ph.D., J.D.

Date

July 24, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



FEE TRANSMITTAL
For FY 2006

Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 65.00

Complete if Known

Application Number 10/564,950
Filing Date 1-17-2006
First Named Inventor Engler, Jeffrey
Examiner Name Not Yet Assigned
Art Unit Not Yet Assigned
Attorney Docket No. P69085US01GP

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):
☒ Deposit Account Deposit Account Number: 50-0954 Deposit Account Name: T. Gregory Peterson
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims		
- 20 or HP = _____ x _____ = _____		
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims		
- 3 or HP = _____ x _____ = _____		
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets _____ Extra Sheets _____ Number of each additional 50 or fraction thereof _____ Fee (\$) _____ Fee Paid (\$) _____
- 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount) Fees Paid (\$)
Other (e.g., late filing surcharge): Surcharge for late submission of oath or declaration \$65.00

SUBMITTED BY

Signature [Signature] Registration No. (Attorney/Agent) 45,587 Telephone 205-521-8084
Name (Print/Type) T. Gregory Peterson, Ph.D., J.D. Date July 24, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

July 24, 2006

Page 3



CERTIFICATE OF EXPRESS MAILING

I hereby certify that the following items are enclosed:

- | | |
|--|----------------|
| 1. Cover Letter (including this page) | <u>3</u> pages |
| 2. Combined Declaration/Power of Attorney | <u>2</u> pages |
| 3. Copy of Notification Missing Requirements | <u>2</u> pages |
| 4. Fee Transmittal Form | <u>1</u> page |
| 5. Transmittal Form | <u>1</u> page |

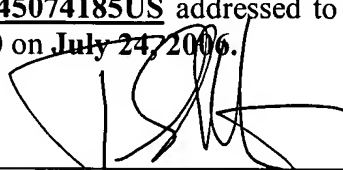
Total 5 Documents

9 pages

(plus a check and return postcard)

and are being deposited with the "Express Mail Post Office to Addressee" service of the United States Postal Service in an envelope marked **EV445074185US** addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on July 24, 2006.

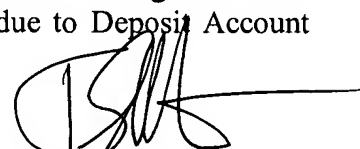
Date: 7-24-06



T. Gregory Peterson
Registration No. 45,587

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

The Commissioner is authorized to pay any charges, fees, or sums due in connection with this correspondence, I hereby authorize the Commissioner of Patents and Trademarks to charge all such remaining fees, charges, and other sums due to Deposit Account Number 50-0954.



T. Gregory Peterson
Authorized User of Deposit Account 50-0954